

**FACT SHEET  
FOR DRAFT LPDES PERMIT NO. LAS000101  
CITY OF BATON ROUGE/PARISH OF EAST BATON ROUGE  
MUNICIPAL SEPARATE STORM SEWER SYSTEMS  
AI 90427 / PER20090001**

Permit No. LAS000101

Issuing Office: State of Louisiana  
Department of Environmental Quality  
Office of Environmental Services  
Water Permits Division

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Permit Action: Reissuance of the LPDES permit for the regulated Municipal Separate Storm Sewer Systems (MS4s) within East Baton Rouge Parish that are owned or operated by the East Baton Rouge City/Parish, Louisiana Department of Transportation and Development (District 61), Louisiana State University, Southern University, City of Baker, City of Zachary, and the City of Central

NPDES permit issued May 30, 1997  
NPDES permit reissued as an LPDES permit November 17, 2004

Date Prepared: October 12, 2009

**REISSUANCE OF AN EXISTING PERMIT**

The Louisiana Department of Environmental Quality is today proposing to reissue the Louisiana Pollutant Discharge Elimination System (LPDES) Permit No. LAS000101 issued for discharges from the regulated Municipal Separate Storm Sewer Systems (MS4s) within the Parish of East Baton Rouge owned or operated by the City of Baton Rouge/Parish of East Baton Rouge, the Louisiana Department of Transportation and Development (District 61), Louisiana State University (LSU), Southern University (SU), City of Baker, City of Zachary, and City of Central. Permit coverage includes the City of Baker and the City of Zachary, Phase II regulated MS4s. The City of Baton Rouge/Parish of East Baton Rouge (EBR City/Parish) owns and operates the streets, surface and subsurface storm sewers within the limits of the City of Baton Rouge and in all other unincorporated portions within East Baton Rouge Parish except for the LSU and Southern University campuses. Baker, Zachary and Central all own/operate their own streets, surface and subsurface storm sewers and are included in the permit as copermittees.

During 2007, the area of Central became an incorporated City. That area has been included in the past in the EBR City/Parish storm water management program as an unincorporated part of the parish. Central is now included as a copermittee in the permit and

is responsible for implementing the City of Central's storm water management program and for MS4 permit compliance for that portion of MS4 that it owns/operates.

The proposed permit is similar to the 2004 permit, and will authorize the discharge of storm water from the Municipal Separate Storm Sewer System consistent with the terms of the permit.

## **OVERVIEW OF CO-PERMITTEES' AREAS OF RESPONSIBILITY**

Each co-permittee shall develop and implement a Storm Water Management Program which identifies sources of pollution and describes Stormwater Control Measures (SCMs) that are used to prevent or control discharges of pollutants into storm water runoff from areas other than agricultural properties located within East Baton Rouge Parish. The elements of the Storm Water Management Program shall be documented in a written Storm Water Management Plan that shall be updated regularly to record additions or changes that are made to the Storm Water Management Program.

### **I. BACKGROUND**

Federal Environmental Protection regulations found at 40 CFR 122.26 define storm water discharges that require NPDES permits. 40 CFR 122.26.D.3 specifically states that storm water discharges from large and medium MS4s require an NPDES permit. As an NPDES-authorized state, the Louisiana Department of Environmental Quality (LDEQ), Office of Environmental Services is authorized to issue LPDES permits, including permits for storm water discharges from large, medium and small MS4s. The EPA Storm Water Phase II Final Rule which regulates storm water discharges from Small MS4s was published on December 8, 1999 in the *Federal Register*. Regulations found at 40 CFR 122.34(a) require Small MS4s to implement six minimum control measures to reduce pollutants to the MEP in urban storm water discharges and those six minimum control measures are a requirement of the LPDES General Permit for Storm Water Discharge from Small Municipal Separate Storm Sewer Systems. In order to consistently regulate storm water discharges from urbanized areas and to provide clear criteria for judging program implementation and effectiveness, EPA guidance recommends that individual permits for large and medium MS4s incorporate the Phase II standards for small MS4s. In accordance with EPA's Storm Water Phase II Final Rule and EPA's 8/1/96 policy "Interim Permitting Approach for Water Quality-Based Effluent Limitations in Storm Water Permits," the proposed Large MS4 permit requires the use of stormwater control measures (SCMs) to control the quality of storm water discharges to the maximum extent practicable (MEP) from the regulated area and the development of measurable goals to measure the effectiveness of the SCMs that are implemented in accordance with the Storm Water Management Plan (SWMP). The EPA policy document is available online at <http://www.epa.gov/npdes/stormwater/>.

MS4 technology standards of MEP and an effective prohibition on non-storm water is the statutory standard that establishes the level of pollutant reductions that operators of regulated MS4s must achieve. Regulated MS4s shall require controls to reduce the discharge of pollutants to the MEP, including management practices, control techniques and system design and engineering methods. In order to better assess progress in achieving MEP, the

Measurable Goals required for small MS4s have been included in the renewal permit. In order to maintain consistency in regulating storm water discharges from large, medium and regulated small MS4s the renewal permit requires that the permittee develop Measurable Goals (see Part II, item #13 of permit) for the SCMs identified in the SWMP and used to satisfy requirements of the control measures identified in the permit.

The LDEQ is today proposing to reissue the LPDES Municipal Separate Storm Sewer System Permit (LAS000101) for the City of Baton Rouge/Parish of East Baton Rouge (EBR City/Parish) that was originally issued by the Environmental Protection Agency (EPA) on May 30, 1997, and reissued by LDEQ November 17, 2004. The existing permit authorizes the discharge of storm water from the MS4s within East Baton Rouge Parish that are owned or operated by the City of Baton Rouge/Parish of East Baton Rouge, the Louisiana Department of Transportation and Development (District 61), Louisiana State University (LSU), Southern University (SU), the City of Baker, and the City of Zachary. The renewal permit will authorize the discharge of storm water from the MS4s within East Baton Rouge Parish that are owned or operated by the City of Baton Rouge/Parish of East Baton Rouge, the Louisiana Department of Transportation and Development (District 61), Louisiana State University (LSU), Southern University (SU), the City of Baker, the City of Zachary, and the City of Central.

## **II. SUMMARY OF PROPOSED CHANGES**

The major differences in the renewal permit and the existing permit include:

1. Addition of the City of Central as a copermitttee which owns/operates its own streets, surface and subsurface storm sewers and is responsible for permit compliance for that portion of the MS4 that it owns/operates.
2. Revised footnotes on page 3 of Part V for clarity.
3. Revised Page 7, Part V.C.2 to include new permit requirements related to SCMs and Measurable Goals.
4. Added Chlorides and Chlorine to the list of monitoring parameters in Table V.A.1.a.
5. Added item 2 (Measures taken to comply with any applicable TMDLs or WLAs.) and item 10 (A summary of progress on Interim Pollutant Reduction Plans (IPRPs) program implementation) to Part V.C.
6. Replaced the term Best Management Practices (BMPs) with the term Stormwater Control Measures (SCMs) to reflect EPA's current use of the more appropriately descriptive term.
7. Inserted extensive language throughout Part II of the permit to include requirements that are contained in the LPDES general permit for regulated Small MS4s.
8. Included more specific monitoring, assessment and reporting requirements for discharges to impaired and TMDL receiving waters (see permit Part II – IPRPs, Part II.A.11.d, and Part V.C.10).

9. Included requirements to review development requirements to identify (and remove) impediments to the use of Green Infrastructure/Low Impact Development practices that could help avoid water quality degradation associated with development (see permit Part II.A.2.b(2), Part II.A.14, and last item in Table III.A).
10. Part III.A; (last item in Table III.A): Added requirement to submit an update report of continual evaluation and updates/changes to the Measurable Goals for the SCMs used to satisfy the control measures specified in Part I.A.1-13. The report shall be submitted with the Annual Report which is due no later than May 1 Annually.

### III. STATE WATER QUALITY STANDARDS

Receiving waters for the discharges from the MS4s and their designated uses\* are:

- 040102<sup>(A,B,C,G)</sup> – Comite River – from Wilson-Clinton Hwy. to White Bayou (Scenic)
- 040103<sup>(A,B,C)</sup> – Comite River – from White Bayou to Amite River
- 040201<sup>(A,B,C)</sup> – Bayou Manchac – from headwaters to Amite River
- 040302<sup>(A,B,C)</sup> – Amite River – from LA-37 to Amite River Diversion Canal
- 040303<sup>(A,B,C)</sup> – Amite River – from Amite River Diversion Canal to Lake Maurepas
- 040402<sup>(A,B,C)</sup> – Amite River Diversion Canal – from Amite River to Blind River
- 040601<sup>(A,B,C)</sup> – Pass Manchac – from Lake Maurepas to Lake Pontchartrain
- 040602<sup>(A,B,C)</sup> – Lake Maurepas
- 070201<sup>(A,B,C,D)</sup> – Mississippi River – from Old River Control Structure to Monte Sano Bayou
- 070203<sup>(A,B,C)</sup> – Devil's Swamp Lake and Bayou Baton Rouge
- 070502<sup>(A,B,C)</sup> – Thompson Creek – from Mississippi state line to Mississippi River
- 070503<sup>(A,B,C)</sup> – Capitol Lake
- 070504<sup>(B,L)</sup> – Monte Sano Bayou – from US-61 to Mississippi River

\*A = Primary Contact Recreation; B = Secondary Contact Recreation; C = Fish and Wildlife Propagation; D = Drinking Water Supply; F = Agriculture; G = Outstanding Natural Resource Waters; and L = Limited Aquatic Life and Wildlife Use

Eleven of the basin subsegments listed above currently are not meeting state water quality standards. The receiving waters that are not meeting state water quality standards are listed below with summaries of the causes of impairment:

**Table A - Receiving Water Status Summaries**

<b>Segment</b>	<b>Segment Name</b>	<b>Segment Impairments<sup>1</sup></b>
040102	Comite River: Wilson-Clinton Hwy to entrance of White Bayou	TMDLs REQUIRED: pathogen indicators
040103	Comite River: Entrance of White Bayou to Amite River	TMDLs REQUIRED: pathogen indicators
040201	Bayou Manchac: Headwaters to Amite River	TMDLs REQUIRED: ammonia (total ammonia); pathogen indicators; nitrogen; organic enrichment/low DO TMDLs NOT REQUIRED: phosphorus
040302	Amite River: LA Hwy 37 to Amite River Diversion Canal	TMDLs REQUIRED: mercury; pathogen indicators (total fecal coliform)
040303	Amite River: Amite River Diversion Canal to Lake Maurepas	TMDLs REQUIRED: organic enrichment/low DO; chlorides; nutrients; mercury; phosphorus
040402	Amite River Diversion Canal	TMDLs REQUIRED: nitrate/nitrite; organic enrichment/low DO; mercury; chlorides
040602	Lake Maurepas	TMDLs REQUIRED: pathogen indicators TMDLs NOT REQUIRED: non-native aquatic plants
070203	Devil's Swamp Lake and Bayou Baton Rouge	TMDLs REQUIRED: lead; nitrate/nitrite; organic enrichment/low DO; pathogen indicators; phosphorus; turbidity TMDLs NOT REQUIRED: priority organics including (Hexachlorobenzene); oil & grease; organics (priority & nonpriority)
070502	Thompson Creek: Mississippi State Line to Mississippi River Confluence	TMDLs REQUIRED: pathogen indicators
070503	Capitol Lake	TMDLs REQUIRED: nutrients; organic enrichment/low DO TMDLs NOT REQUIRED: priority organics – PCBs
070504	Monte Sano Bayou: from U.S. Hwy 61 to the Mississippi River Confluence	TMDLs REQUIRED: chlorine; dissolved oxygen

<sup>1</sup>The impairments that are listed in the column titled "Segment Impairments" are the impairments that are listed on the 2004 303(d) List of Impaired Water Bodies. TMDL reports are maintained and regularly updated on the LDEQ Internet web site at <http://www.deq.louisiana.gov/portal/tabid/130/Default.aspx>. Permittees should check the web site frequently to determine the final TMDL status of subsegments that require TMDLs for specific pollutants that are causing impairments and make appropriate adjustments to incorporate the requirements of any TMDL into the SWMP.

#### **IV DISCHARGES TO 303(d) LISTED IMPAIRED WATER BODIES**

The storm water outfalls that are covered in the permit are located in the Lake Pontchartrain Basin and the Mississippi River Basin. East Baton Rouge Parish is the northernmost point of the Lake Pontchartrain Basin. The Lake Pontchartrain Basin consists of Lakes Maurepas, Pontchartrain, and Borgne which receives rain and storm water runoff

from East Baton Rouge Parish via Bayou Manchac and the Amite River. According to Table A, TMDLs have not yet been completed for some subsegments and TMDLs are not required to address some impairments. TMDLs are not required under the following scenarios:

- (1) Waterbody or formerly listed impairment is now attaining all uses and standards;
- (2) Waterbody is meeting some uses and standards but there is insufficient data to determine if other formerly listed impairments are attaining uses and standards;
- (3) There is insufficient data to determine if any uses and standards are being attained;
- (4) Waterbody is impaired for one or more uses, but a TMDL has been completed for the specific impairment;
- (5) Waterbody is impaired for one or more uses but other control measures are expected to result in attainment of designated uses; or
- (6) Waterbody is impaired for one or more uses but a pollutant does not cause the impairment.

TMDLs are water quality assessments that determine the source or sources of pollutants of concern for a particular waterbody, consider the maximum amount of pollutants the waterbody can assimilate, and then allocate to each source a maximum quantity of each pollutant of concern that it is allowed to discharge (i.e., a "wasteload allocation").

As each waterbody and its associated causes of impairment are assessed, a determination is made to remove any parameters that are determined not to be causes of impairment; to perform further studies if necessary; to delist any basin subsegments that are determined to be meeting State water quality standards; and to set appropriate parameter-specific TMDLs for all basin subsegments determined not to be meeting State water quality standards. This permit may be reopened in accordance with Part VI.R of the permit in order to maintain applicable water quality standards for each waterbody if TMDLs indicate such a need.

On March 31, 2005, the EPA approved the Louisiana Category 5 Final 2002 Integrated Report and Category 5 Final 2004 Integrated Report with additions made by the EPA. Both lists have been compiled into one list of 303(d) listed impaired water bodies that required the development of TMDLs. That compilation of the current and complete EPA-approved 2002 and 2004 303(d) lists is titled "2004 303(d) List of Impaired Waters: Including EPA's Additions" and is available on the LDEQ Internet web site at <http://www.deq.louisiana.gov/portal/tabid/130/Default.aspx>. That list is periodically updated. The permittees should review the list periodically to keep informed of changes to the list and the establishment of additional TMDLs for listed impairments for which TMDLs are required (see Table A).

The permittee must document in its SWMP how the SCMs and other controls implemented in its SWMP will control the discharge of any pollutant(s) of concern (POCs) for discharges into a receiving water which has been listed on the Clean Water Act 303(d) list of impaired waters. If a TMDL has been approved for a waterbody, the permittee will be required to describe how its SWMP is consistent with any TMDL requirements applicable to MS4 discharges into basin subsegments where TMDLs have been established.

For the basin subsegment numbers that receive storm water runoff from the regulated MS4s the permittees' SWMP must address any impairments that have been identified in Table A (above) under the category "TMDLs Required". The permittees must describe how the SCMs and other control(s) selected for the SWMP will minimize, to the MEP, the discharge of those pollutants into the impaired subsegments.

The existing permit requires sampling and analysis for all the pollutants addressed in the TMDLs except Chlorides and Chlorine. The proposed permit contains the sampling and analysis requirements similar to the existing LPDES permit, plus monitoring requirements for the additional parameters: Chlorides and Chlorine. These additional parameters are included in the renewal permit because they have been identified as a source of impairment in at least one receiving subsegment and TMDLs have not been completed for those parameters. Monitoring for Chlorides and Chlorine will allow the municipality to determine if the pollutants are being discharged from any of their permitted outfalls and to implement SCMs to control sources of the pollutants if it is determined that they are present.

Part II.A.11.d (The 303(d)/TMDL Monitoring Program) was added to the permit to address monitoring requirements for the following scenarios:

1. Discharges to waterbodies where a TMDL is complete but no WLA has been established for discharges from the MS4 for the pollutants of concern;
2. Discharges to waterbodies where a TMDL is complete and a WLA has been established for discharges from the MS4; and
3. Discharges to 303(d) listed streams with an impairment identified as caused by storm water discharges.

Organic enrichment/low DO impairments will be addressed by the BOD<sub>5</sub> and COD parameters in the permit. Nitrogen impairments will be addressed by the nitrite, nitrate, and ammonia parameters in the permit. The implementation of SCMs to minimize the discharge of all pollutants requiring TMDLs will be beneficial to the quality of the receiving streams that might be listed as a water quality impairment.

Monitoring requirements established in the permit will provide data to determine if the MS4 discharges are causing or contributing to existing water quality impairments. Pollutant concentrations obtained during monitoring events will help assess the effectiveness of the SCMs that the permittees have implemented to control the discharge of pollutants from the MS4 and determine if additional SCMs are required.

The permittees' SWMP currently states that "should any City of Baton Rouge/Parish of East Baton Rouge Department, Division, or other official entity determine that any specific discharge shall have a deleterious effect on a receiving waterbody/watershed, measures will be implemented to eliminate or mitigate such discharge to the Maximum Extent Practicable (MEP) and duly noted as a revision to the Storm Water Management Plan. Finally, as Total Maximum Daily Loading (TMDL) limits are imposed, measures will be implemented to meet these criteria."

The permittees' SWMP currently consists of the following measures to control the basic classes of pollutants that cause water quality impairment. A brief description of just some of the many activities that are conducted by the permittees to fulfill permit requirements include:

**1. Structural Controls and Storm Water Collection System Operation** - The permittee has established a program to maintain the structural integrity and hydraulic efficiency of the storm water collection system by: clearing and flushing storm drain pipes and catch basins; clearing and snagging of canal and ditch banks; excavation, dredging and mowing of canals and ditches; removal of debris and obstructions; erosion control and bank stabilization along canals and ditches; and repairing drainage outfalls, catch basin cave-ins, drainage pipes and culverts. The drainage system maintenance program implements some practices that clean up pollutants before they can get into the storm water and others are directed toward removing pollutants which have already entered the storm water system. It is the goal of the City/Parish to implement these operations and maintenance procedures in an effective manner in order to help reduce the pollution entering and leaving the storm water system.

**2. Post-construction Storm Water Management in New Development and Significant Re-Development** - The City/Parish Planning and Zoning Commission issues approval for designated land uses within the Parish of East Baton Rouge. This includes preliminary approval of subdivision and re-subdivision plats and site plans. During the plan review process, consideration is given to both pre- and post-construction controls with additional emphasis and requirements given in environmentally sensitive areas. To assist the City/Parish in its future planning efforts, a comprehensive land use and development plan ("Horizon Plan") is followed. The Horizon Plan provides goals and recommendations for drainage, wastewater, solid waste, conservation and environmental resources, etc. The City/Parish has developed Chapter 18 of the Unified Development Code: "Landscape and Trees" which will require but not be limited to vegetative buffer strips, street planting areas, and parking lot screening.

A post-construction storm water management program has been established to minimize storm water runoff from construction sites and to minimize erosion from construction sites. This program requires developer/contractor certification of compliance with the Department of Public Works' (DPW) Erosion and Sedimentation Control Plan which requires the installation and maintenance of storm water control structures and post-construction site revegetation. It also requires owners/developers of construction sites to have a written site plan, erosion and sediment control plan, storm water pollution prevention plan detailing stormwater control measures prior to beginning construction activities. In addition, it requires written notification to the EBRP DPW and the LDEQ, Water Permits Division prior to beginning construction activities. The City/Parish has recently revised its Post Construction Runoff Controls that are detailed in the Unified Development Code (UDC) Chapter 15. All proposed developments are subject to the requirements and specifications of the UDC. The revisions have not been finalized but will include covenants to require owners of commercial property and homeowners associations of residential subdivisions to maintain and operate post-construction runoff controls for the long term.

**3. Roadways** - DOTD construction inspectors routinely inspect erosion control measures at construction sites to ensure their effectiveness. Bare soil at construction sites is vegetated as quickly as possible to minimize erosion from those sites. Litter crews (consisting of Streets & Drainage employees; local, state, and federal prison crews and parolees; and community service program participants) collect litter throughout the year to keep trash and debris from entering the storm sewer system during rain events. Citizen participation in Adopt-A-Road



program for beautification of stretches of roadway have regular litter collection events. A street sweeping program removes trash and minimizes sediment loading from public streets. The City/Parish Department of Public Works oversees the parish streets, roads, and highway operations and maintenance program. They cut grass and remove litter from street right-of-way, boulevards, drainage canals, ditches, catch basins and City/Parish owned vacant lots; respond to and clean up spills on Parish streets; and dress roadside shoulder and graded areas at road maintenance projects to minimize soil erosion and leaching of pollutants from roadway maintenance projects;

**4. Flood Control Projects** - The permittee has established a maintenance program to remove trees, underbrush and debris along canals; to clear and snag canal and ditch banks; excavate, dredge and mow canals and ditches; remove debris and obstructions from canals and ditches. Building regulations include no net loss of flood storage volume within the floodplain. Regulations require preparation of a drainage impact study for new developments which has resulted in a significant increase in the number of storm water detention facilities which reduce post-development discharge rates, reduce downstream channel velocities and function as sediment basins both during the construction activities and post-construction.

**5. Pesticide, Herbicide and Fertilizer Applications** - Application of pesticides, herbicides and fertilizer within East Baton Rouge Parish comes under the laws and regulations of the State Agriculture and Forestry Department. Certification and licensing by the State Agriculture and Forestry Department as well as the Louisiana Pesticides Applicators Association are needed for the commercial, municipal and institutional application of pesticides, herbicides, and fertilizers. The permittee conducts maintenance of green areas by mowing where possible to limit the use of pesticides, herbicides and fertilizers. Aquatic-safe herbicides are applied to tree stumps to prevent regrowth and to control the growth of weeds and broadleaves along cleared canals. Approved applicators must be certified by the Louisiana Department of Agriculture and Forestry. Certified commercial applicators must attend a Louisiana Department of Agriculture and Forestry approved Commercial Pesticide Applicator Recertification Conference at least every three years to maintain current certification. The public education program (see item #10 below) encourages the proper use, recycling, and disposal of pesticides, herbicides, and fertilizers. The Annual Household Hazardous Waste Collection Day provides a venue where citizens can safely dispose of unused pesticides, herbicides and fertilizers. The DPW Environmental Division under the Industrial Pretreatment Program educates industrial users during site inspections of the proper disposal of herbicides, pesticides, and fertilizer wastes. Literature is distributed at several annual events, including the Annual Household Hazardous Waste Collection Day and Earth Day, to further educate the community in the proper use, storage, application and/or disposal of these materials.

**6. Illicit Discharges and Improper Disposal** - The City of Baton Rouge Code of Ordinances is the legal authority used to regulate and prohibit illicit discharges to the storm sewer system. The permittee's dry weather screening program and wet weather screening program are used to identify illicit point source discharges into the MS4, to cease and/or mitigate illicit discharges, and to notify other regulatory agencies as necessary. A program has been established to respond to all complaints and reports of illicit discharges into the MS4. Components of the public education program (see item #10 below) focus on preventing

illicit discharges and improper disposal of chemicals by educating employees and citizens on how waste disposal practices and illicit discharges impact storm water pollution and water quality. A Household Hazardous Materials Collection Day provides Parish citizens a safe place to dispose of used motor vehicle fluids, swimming pool chemicals, household materials such as pesticides and paints and other chemicals and materials in an effort to prevent the disposal of these chemicals, substances or materials in a manner that would contaminate water that enters the storm water drainage system. Sewer rehabilitation projects are underway to find, repair, or replace infrastructure in order to prevent sanitary wastewater from entering the storm water drainage system and to prevent the infiltration of storm water into the sanitary sewer system. Section 2:275 (the "potty truck" ordinance) of the Code of Ordinances was adopted to prohibit commercial waste haulers (grease trap and portable toilets) from disposing of their waste material in the storm sewer system.

**7. Spill Prevention and Response** - The permittee has developed a program to prevent/respond/control chemical spills to prevent storm water contamination. The DPW Environmental Division assists the Fire Department's Hazardous Materials Team, the State Police, and the Department of Environmental Quality during hazardous materials emergencies, spills, releases, etc. Procedures are in place to identify where containment booms are to be placed; erect sand and dirt containment dikes to prevent migration of spilled material; and call vacuum trucks to remove spilled chemicals contained within diked or bermed areas. Spill Prevention, Control and Countermeasure (SPCC) plans have been implemented at the North Landfill and the Central Vehicle Maintenance Facility. Many components of the public education and pollution prevention programs (see item #10 below) should directly have a positive impact on minimizing spills and facilitating a speedy response to spill events.

**8. Industrial and High Risk Runoff** - The permittee maintains an extensive storm water management inspection and monitoring program at the North Sanitary Landfill and at the three Publicly Owned Treatment Works (POTWs) which includes construction and post-construction storm water runoff control, inspection and maintenance program. Annual inspections are conducted at industrial and commercial facilities that contribute a substantial pollutant load to the MS4. A database of facilities that will be inspected annually for compliance with the overall SWMP is maintained. An annual inspection of facilities that have submitted a Certification of No Exposure is conducted to verify eligibility for the storm water permit exclusion. The permittee reviews analytical monitoring results of NPDES/LPDES/LWDPS permit holders to identify problem areas. The six industrial areas predominantly used for industrial purposes own their separate storm sewer systems and do not discharge to the Baton Rouge MS4.

**9. Construction Site Runoff** - The permittee has established a program to permit and inspect construction sites greater than or equal to one (1) acre in size in order to minimize the discharge of sediment, oil & grease, and construction-related debris in storm water. The program requires developer/contractor certification of compliance with a site-specific Erosion and Sedimentation Control Plan which requires installation and maintenance of storm water control structures and post-construction site re-vegetation. Violations found during inspections are categorized according to their magnitude and enforcement action is taken consistent with penalties referenced in existing ordinances. A reseeding program has been

established to minimize erosion from canal banks after clearing and rip-rap is liberally used for erosion-control along canals and repair/maintenance of drainage structures. The City/Parish has developed a Drainage Criteria Manual which provides comprehensive information on SCMs related to vegetative seeding and mulching rates, erosion control mats, silt fences, dikes, spill prevention and control, and many more SCMs. The document is used by the City/Parish in both public and private activities under their jurisdiction. Additional SCM information can be found in the Stormwater Best Management Practices for East Baton Rouge Parish Guide.

**10. Public Education and Outreach on Storm Water Impacts** - The permittee has developed a program to educate employees and citizens (including students at schools) how waste disposal practices and illicit discharges impact storm water pollution and water quality. Pollution prevention education encourages proper use, recycling and disposal of household hazardous wastes, floatables, used oil, pesticides and fertilizers, etc. The permittee sponsors, promotes and participates in the Annual Earth Day Festival, Annual Household Hazardous Material Collection Day, and community-wide pollution prevention and recycling activities. During the Annual Household Hazardous Materials Collection Day the public is encouraged to bring poisons, flammables, corrosives and other materials to the designated drop-off area where items can then be disposed of in an environmentally responsible manner. Public involvement/participation activities will encourage the public to participate in developing and implementing the storm water management program. A hotline number is advertised in the utility bill that encourages the public to report suspicious or illegal environmental activities. The City/Parish Recycling Office maintains a website that provides a wealth of information about its public recycling programs.

**11. Monitoring Programs -**

- a. Dry weather screening program - The permittee contracts with the United States Geological Survey (USGS) to conduct dry weather screening. The USGS reports illicit discharges that are discovered or maintenance issues to DPW-Environmental for further investigation/resolution.
- b. Wet weather screening program - The permittee inspects and monitors two outfalls per year during high and flowing water levels in an attempt to identify illicit discharges.
- c. Industrial and high risk runoff monitoring program - The permittee reviews analytical monitoring results of NPDES/LPDES/LWDPS permit holders to identify problem areas. The municipal sanitary landfill and three wastewater treatment plants (POTWs) have obtained the necessary environmental permits and have pollution prevention plans to minimize the discharge of pollutants in storm water.
- d. Floatables monitoring program - The City/Parish will implement a program of preventive maintenance designed to keep floatables and other debris from entering the MS4. The maintenance program will be accomplished by removal of debris and solids which will impede the water flow during rainfall events from surface and subsurface drainage systems. Collected debris, floatables, and solids will be disposed at the City/Parish North Landfill. Collected debris, floatables, and solids will be monitored by utilizing the scale at the North

Landfill, tonnage recorded, and reports prepared on a monthly basis. Additional monitoring of floatables will consist of visual and photographic inspections of the intakes at the two main storm water pumping station sites (located at Capital Lake and near the western end of Terrace Street) and the floatables collection net at Carlotta Street. Stagnant and/or standing water in drainage canals, ditches, catch basins, etc., is collected by use of vacuum trucks and disposed of into the sanitary sewer system.

**12. Pollution Prevention/Good Housekeeping Practices for Municipal Operations -** Spill Prevention, Control and Countermeasure (SPCC) plans have been implemented at the North Landfill and the Central Vehicle Maintenance Facility. Storm Water Pollution Prevention Plans have been implemented at the three City/Parish DPW-Maintenance Lots (South Lot, North Lot, and East Lot). The permittee has established an employee training program that encompasses many areas of environmental protection, including sources of storm water pollution, good housekeeping measures associated with municipal operations, and stormwater control measures associated with municipal operations to prevent storm water contamination from those sources. Certification of EBRP pesticide, herbicide, and fertilizer applicators by the Louisiana Department of Agriculture and Forestry serves to ensure effective and minimal use, as well as safe handling of products. The permittee has implemented a SWPPP at equipment and vehicle maintenance facilities to minimize storm water contamination during the operation of these facilities. Equipment such as tractors, street sweepers and dump trucks are washed as much as possible in the Central Garage Car Wash which discharges to the sanitary sewer system resulting in a diversion of suspended solids and other pollutants from the storm water drainage system. Waste parts washer fluids at the Central Garage are properly managed and disposed of under the LDEQ Reuse/Recycle Program. Antifreeze, waste oils, lubricants and batteries are recycled. Tires and solid waste are properly disposed of at the Municipal Landfill. Absorbent materials such as barrier booms and pads are used where applicable. Emergency shut-off controls have been installed in the bay service area to shut down all pumps from discharging gasoline and/or diesel if there is ever a spill.

In accordance with EPA's Storm Water Phase II Final Rule and EPA's 8/1/96 policy "Interim Permitting Approach for Water Quality-Based Effluent Limitations in Storm Water Permits," each permittee shall develop and implement Measureable Goals to assess the effectiveness of the SCMs used to satisfy the requirements of the Control Measures identified in Part II.A.1-12. Measurable Goals shall include months and years in which actions will be undertaken, including interim milestones and the frequency of the actions. Additional program development resources are available through the EPA Internet web site at <http://cfpub.epa.gov/npdes/stormwatermonth.cfm>. Guidance on Minimum Control Measures and Measurable Goals and a menu of SCMs can be accessed from the "Publications" link on EPA's main storm water program page which is located at <http://www.epa.gov/npdes/stormwater>. Measurable Goals shall be developed and implemented for the SCMs identified in the SWMP and used to satisfy the requirements of the above-listed 12 Minimum Control Measures.

Implementation of the storm water management program elements discussed above, combined with eligibility conditions in Part I.B.1, monitoring requirements under Part V of

the permit, and the Part II permit requirement for describing how the storm water management program addresses 303(d) pollutants of concern, will provide protection for local water quality while TMDLs are being developed and EPA reviews proposed impairment listings.

#### **V. STORM WATER PERMIT REQUIREMENTS FOR THE NEWLY INCORPORATED CITY OF CENTRAL**

The unincorporated area of Central was recently incorporated. The City of Central owns/operates its own streets, surface and subsurface storm sewers; therefore, it is responsible for obtaining MS4 permit coverage for this newly incorporated area. When the EBR City/Parish developed its Phase I MS4 program it encompassed the entire incorporated and unincorporated areas of the parish into its original program, including the areas of Central, Baker and Zachary. The City of Central shall have one year beginning with the effective date of the renewal permit to develop its storm water management program and to document that program in a written storm water management plan that fulfills the requirements of the renewal permit.

#### **VI. PERMIT REOPENER CLAUSE**

This permit covers an existing source with discharges to 303(d) waterbodies for which TMDLs have not been completed. The permit may be reopened to incorporate the results of any total maximum daily load allocation that might later be approved for the receiving waterbodies.

#### **VII. PERMIT FEES**

Using the Annual Fee Rating Worksheet, the permittee's discharges have been assigned 200.0 rating points. Annual permit fees will be based on procedures described in LAC 33:IX.1309.B.

#### **VIII. PUBLIC NOTICE**

The public notice describes the procedures for the formulation of final determination.

Upon publication of the public notice, a public comment period shall begin on the date of publication and last for at least 30 days thereafter. During this period, any interested persons may submit written comments on the draft permit and may request a public hearing to clarify issues involved in the permit decision at the Office's address which will be included in the public notice. A request for a public hearing shall be in writing and shall state the nature of the issues proposed to be raised in the hearing.

Public notice will be published in:

A local newspaper of general circulation

LDEQ Permits Public Notice Mailing List

LDEQ Permits Public Web Page at <http://www.deq.louisiana.gov/apps/pubNotice/>